

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALCAPONE ALO,  
Plaintiff,  
v.  
ASHLEY RAMOS,  
Defendant.

Case No. 1:23-cv-00663-JLT-SAB  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(Docs. 1, 4)

Plaintiff Alcapone Alo (“Plaintiff”), a California state prisoner proceeding *pro se* and *in forma pauperis*, initiated this civil rights action pursuant to 42 U.S.C. § 1983 on May 1, 2023. (Doc. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On June 29, 2023, the magistrate judge issued findings and recommendations, recommending that this action be dismissed, without prejudice, for failure to state a claim. (Doc. 4.) Plaintiff was granted twenty-one days in which to file objections to the findings and recommendations. The deadline to file objections has passed and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and *Britt v. Simi Valley*

1 *United School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983), this Court conducted a de novo review of  
2 the case. Having carefully reviewed the matter, the Court finds the Findings and  
3 Recommendations are supported by the record and proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations dated June 29, 2023 (Doc. 4), are  
6 **ADOPTED IN FULL.**
- 7 2. The Complaint is **DISMISSED**, without prejudice, for failure to state a claim.
- 8 3. The Clerk of the Court is DIRECTED to CLOSE this action.

9  
10 IT IS SO ORDERED.

11 Dated: **August 2, 2023**

  
UNITED STATES DISTRICT JUDGE